

SENATE.

THURSDAY, December 20, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

JOHN P. JONES, a Senator from the State of Nevada, appeared in his seat this day.

The Journal of the proceedings of yesterday was read and approved.

ELECTORAL VOTES OF UTAH, MAINE, AND INDIANA.

The PRESIDENT pro tempore laid before the Senate three communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Utah, Maine, and Indiana at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, were ordered to lie on the table.

EVELYN NEALE MURRAY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4184) granting an increase of pension to Evelyn Neale Murray; which was, in line 9, to strike out "fifty" and insert "thirty."

Mr. GALLINGER. I move that the Senate concur in the amendment made by the House of Representatives.

The motion was agreed to.

CATHARINE WEINHEIMER.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3436) granting a pension to Catharine Weinheimer; which was, in line 10, to strike out all after "receiving" down to and including the word "determine" in line 13 and insert:

Provided, however, That in the case of the death of the helpless and dependent child, Caroline Weinheimer, on whose account the pension of Catharine Weinheimer is increased, the pension of said Catharine Weinheimer shall continue only at the rate of \$12 per month from and after the date of death of said helpless and dependent child.

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

Mr. COCKRELL. I thought that the bill as we passed it contained such a provision.

Mr. GALLINGER. It did, but in different language. The House is very technical as to the use of language, I would say to the Senator.

Mr. COCKRELL. Oh, yes.

The PRESIDENT pro tempore. The question is on concurring in the amendment made by the House of Representatives.

The amendment was concurred in.

WILLIAM M. FERRY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 92) granting a pension to William M. Ferry which was, in line 8, to strike out "twenty" and insert "forty."

Mr. GALLINGER. I move concurrence in the amendment of the House of Representatives.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes; and

A bill (S. 2329) to provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 5053) to amend an act authorizing the construction of a bridge across the Mississippi River at Dubuque, Iowa, approved March 6, 1900; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Fruit and Produce Exchange of Boston, Mass., praying for the repeal of the war-revenue tax on receipts for express and freight packages; which was referred to the Committee on Finance.

He also presented a petition of the Fruit and Produce Exchange of Boston, Mass., praying for the enactment of legislation to establish at that city a national forecast district for the New Eng-

land States; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union of Lynnfield Center, Mass., and a petition of the Woman's Christian Temperance Union of West Brookfield, Mass., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of 61 citizens of Lowell, Mass., praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

He also presented a petition of the congregation of the Methodist Episcopal Church of Plainville, Mass., praying for the ratification of the international treaty prohibiting the sale of liquor to native races in Africa; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Drug Exchange of New England and a petition of 157 druggists of Massachusetts, praying for the repeal of the revenue tax on proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented petitions of the congregation of the Methodist Episcopal Church of Plainville, of the Christian Union of the Universalist Church of West Hingham, and of 150 Methodist Episcopal ministers, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were referred to the Committee on Military Affairs.

Mr. CULLOM presented a memorial of the State Grange of Illinois, Patrons of Husbandry, remonstrating against the appropriation of public funds for the purpose of irrigating Western arid lands; which was referred to the Committee on Public Lands.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, praying for the enactment of legislation to prohibit the adulteration of foods and medicines; which was referred to the Committee on Manufactures.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, praying that an appropriation be made for the extension of the rural free delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, praying for the construction of the Nicaragua Canal; which was ordered to lie on the table.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, praying for the enactment of legislation controlling trusts; which was referred to the Committee on the Judiciary.

Mr. HANNA presented the petition of William M. Griffith, of Tucson, Ariz., praying for the enactment of legislation authorizing the board of supervisors of Pima County, Ariz., to issue fifty-year 5 per cent bonds of Pima County, Ariz., to redeem certain funded indebtedness of said county; which was referred to the Committee on Territories.

He also presented a memorial of the Board of Trade of Columbus, Ohio, remonstrating against the passage of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of the Foley Brothers & Kelly Mercantile Company, of St. Paul, Minn., praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. KEAN presented two petitions of the Woman's Christian Temperance Union of Cranbury, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in central Africa, the Philippines, and Alaska, and also to prohibit their sale in Army canteens; which were referred to the Committee on Military Affairs.

He also presented petitions of George W. F. Gaunt, of Mullica Hill; of E. C. Balevre, of Newark; of H. W. Collingwood, of Bergen County; of the Dairymen's Association of Locktown; of John H. Prinsen, of Pennsville, and of Local Grange No. 88, Patrons of Husbandry, of Locktown, all in the State of New Jersey, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Woman's Home Missionary Society of the Second Presbyterian Church of Elizabeth; of the Woman's Home Missionary Society of the First Presbyterian

Church of East Orange; of the Woman's Home Missionary Society of the Central Presbyterian Church of Orange, and of sundry citizens of Plainfield, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also (for Mr. SEWELL) presented a petition of the Woman's Missionary Society of the First Presbyterian Church of East Orange, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also (for Mr. SEWELL) presented five petitions of citizens of Middlebush, Sandbrook, and Cranbury, all in the State of New Jersey, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also (for Mr. SEWELL) presented a petition of 73 citizens of Beverly, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of sundry citizens of Ash Grove, Mo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry business firms of St. Louis, Mo., praying for the repeal of the duty on hides; which was referred to the Committee on Finance.

Mr. THURSTON presented a petition of Subordinate Lodge No. 38, Brotherhood of Boiler Makers and Iron Ship Builders, of Omaha, Nebr., praying for the passage of the so-called ship subsidy bill; which was ordered to lie on the table.

Mr. KENNEY presented a petition of sundry citizens of Delaware, praying that an appropriation of \$25,000 be made for a survey and other needed improvements to reopen navigation in the Lewes River, in that State; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Delaware, praying that an appropriation of \$20,000 be made to open a 7-foot channel, at mean low water, in Broadkill River, from the town of Milton, in that State; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. ELKINS, from the Committee on Commerce, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 5022) to provide for the establishment of a port of delivery at Fall River, Mass.; and

A bill (S. 5023) to provide for the establishment of a port of delivery at New Bedford, Mass.

Mr. HAWLEY. I am instructed by the Committee on Military Affairs to report with amendments the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

The PRESIDENT pro tempore. The attention of the Senator from Connecticut is called to the fact that Senate bill 4300 once passed the Senate, and was sent to the House of Representatives, where all of it, after the enacting clause, was stricken out.

Mr. HAWLEY. Yes, sir.

The PRESIDENT pro tempore. The bill referred to the Committee on Military Affairs was Senate bill 4300, as amended by the House.

Mr. HAWLEY. That is quite right.

The PRESIDENT pro tempore. And apparently the committee now reports Senate bill 4300.

Mr. HAWLEY. The House struck out the whole of the Senate bill after the enacting clause and passed what was substantially a substitute. We have taken that measure and have amended it. That is exactly the situation.

Mr. SPOONER. It is an amendment to the House amendment.

Mr. HAWLEY. We report amendments to the House amendment. It is practically a reconstructed bill.

The PRESIDENT pro tempore. The Senator from Connecticut then reports the Senate bill as amended by the House, with amendments?

Mr. HAWLEY. Yes.

Mr. ALDRICH. It is a recommendation for concurrence, with amendments.

The PRESIDENT pro tempore. That makes a different situation.

Mr. GALLINGER. Mr. President, I intended to call attention to the parliamentary status of the bill, which I think is very unusual. The Senate passed a bill and sent it to the House. The House amended it and returned it to the Senate. It was referred to the Committee on Military Affairs, and that committee reports it back with amendments. Now, if that goes to the Calendar and is passed by the Senate and goes to the House, will it be competent to send it again to the Committee on Military Affairs and

report it back here in a different form? If so, there is no end to the matter. It seems to me that the bill is in a bad parliamentary state at the present time and that we are going to get into trouble if we treat an amended Senate bill in this way. I may be wrong about it. The Senator from Missouri [Mr. COCKRELL] shakes his head.

Mr. COCKRELL. There is no trouble in the world about it. As soon as the Senate passes the bill it will ask for a conference with the House of Representatives.

Mr. HAWLEY. Yes.

Mr. COCKRELL. And the House will either agree or disagree to the request for a conference.

Mr. GALLINGER. That, of course, makes a different parliamentary situation.

Mr. COCKRELL. As the Senator put it, it was getting into a peculiar condition; but when the committee asks for a conference, that will end it.

Mr. HAWLEY. If the Senate will be kind enough to pass the bill, I shall be very glad to ask for a committee of conference to-day.

The PRESIDENT pro tempore. The bill will go to the Calendar.

Mr. HAWLEY subsequently said: The rule will not permit the printing of a sufficient number of copies of this bill, and I move that a thousand extra copies of it as proposed to be amended be printed for the use of the Senate.

The motion was agreed to.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (S. 5138) to provide for the establishment of a port of delivery at Saginaw, Mich., reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 2079) granting a pension to William Ashmead, reported it with an amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4956) to grant the Knoxville Power Company the right to dam the Tennessee River at or near Knoxville, Tenn., reported it with amendments.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the letter of the Secretary of the Treasury transmitting a list of buildings under control of the Treasury Department for which it is necessary, in order to secure their proper completion, that the limit of cost shall be extended by Congress, asked that the committee be discharged from its further consideration and that it be referred to the Committee on Public Buildings and Grounds; which was agreed to.

JAMES H. CALDWELL.

Mr. COCKRELL. I move that the Committee on Pensions be discharged from the further consideration of the bill (H. R. 9266) granting an increase of pension to James H. Caldwell and that the bill be indefinitely postponed, the claimant having died.

The motion was agreed to.

PROGRESS REPORT ON IRRIGATION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following resolution, submitted by Mr. PERKINS on the 18th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 1,000 copies of the Progress Report of Cooperative Investigation by the United States Geological Survey and the California Water and Forest Association during the year 1900.

REPORT ON REINDEER IN ALASKA.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the concurrent resolution providing for the printing of Dr. Jackson's report upon the introduction of reindeer into Alaska, to report it favorably with amendments; and I ask unanimous consent for its immediate consideration.

The resolution submitted by Mr. TELLER on the 6th instant was read, and considered by unanimous consent, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 copies additional to the usual number of the report of Dr. Sheldon Jackson upon the Introduction of Domestic Reindeer into the District of Alaska, for 1900, of which 1,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 6,000 copies for the use of the Commissioner of Education.

The amendments of the Committee on Printing were, in line 2 to strike out "ten" and insert "five;" in line 5 to strike out "one thousand" and insert "five hundred;" in line 6 to strike out "three thousand" and insert "one thousand five hundred;" and in line 8 to strike out "six" and insert "three;" so as to make the resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies additional to the usual number of the report of Dr. Sheldon Jackson upon the Introduction of Domestic Reindeer into the District of Alaska, for 1900, of which 500 copies shall be for the use of the Senate, 1,500 copies for the use of the House of Representatives, and 3,000 copies for the use of the Commissioner of Education.

Mr. HANSBROUGH. What is the total number recommended by the committee to be printed?

Mr. PLATT of New York. Five thousand. The amendments reduce the number one-half.

The PRESIDENT pro tempore. The question is on agreeing to the amendments reported by the Committee on Printing.

The amendments were agreed to.

The resolution as amended was concurred in.

WILLIAM GORDON.

Mr. GALLINGER. I am directed by the Committee on Pensions to report two pension bills, and as they are both very urgent cases, in which two Senators are interested, I ask unanimous consent for their immediate consideration. They will take but a moment. The first one is the bill (S. 5259) granting an increase of pension to William Gordon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of William Gordon, late captain Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS HEBEL.

Mr. GALLINGER. The other bill, which is likewise reported without amendment from the Committee on Pensions, is the bill (H. R. 11552) granting an increase of pension to Louis Hebel, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Louis Hebel, late of Company E, One hundred and eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COMMUTATION OF CERTAIN HOMESTEAD ENTRIES.

Mr. CARTER. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 5258) to allow the commutation of homestead entries in certain cases, to report it without amendment; and I request unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from Montana, from the Committee on Public Lands, reports a bill for which he asks immediate consideration. The bill will be read for the information of the Senate.

The bill was read, as follows:

Be it enacted, etc., That the provisions of section 2301 of the Revised Statutes of the United States, as amended, allowing homestead settlers to commute their homestead entries be, and the same hereby are, extended to all homestead settlers affected by or entitled to the benefits of the provisions of the act entitled "An act providing for free homesteads on the public lands for actual and bona fide settlers, and reserving the public lands for that purpose," approved the 17th day of May, A. D. 1900: *Provided, however,* That in commuting such entries the entryman shall pay the price provided in the law under which original entry was made.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let us have an explanation of it.

Mr. CARTER. Mr. President, this is the bill which was reported with reference to but one reservation some days ago by the Senator from Minnesota [Mr. NELSON]. There were some attempts to amend that bill at the time, and having attempted to amend it, and possibly thereby obstructed its passage on that day, I have felt called upon to ask now that in its amended form reported from the committee it be put upon its passage.

The bill merely extends the commutation privilege to persons residing upon ceded portion of Indian reservations. The free-home bill exonerated such homestead settlers from the payment of the amounts theretofore prescribed by numerous treaties of cession and acts confirmatory thereof. This allows the settler, after having resided upon the land for fourteen months, to pay \$1.25 per acre for the land and get patent, as provided in the homestead law.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ACCOUNTS OF COURT OFFICERS IN UTAH TERRITORY.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 5231) relating to the accounts of United States marshals and clerks of the district courts of the Territory of Utah, to report it with an amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the Judiciary with an amendment, in line 9, after the word "accordingly," to insert "and the fees earned in United States cases, and withheld from them, shall be paid to them out of any money not otherwise appropriated;" so as to make the bill read:

Be it enacted, etc., That the United States marshals and the clerks of the district courts of the Territory of Utah prior to its admission to the Union as a State shall be held accountable only for fees earned in United States cases, in accordance with a decision of the Attorney-General dated December 2, 1891, and all unclosed accounts of such officers shall be settled and closed accordingly, and the fees earned in United States cases and withheld from them shall be paid to them out of any money not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EQUIPMENT FOR SENATE RESTAURANT.

Mr. SPOONER, from the Committee on Rules, reported the following resolution; which, with the accompanying papers, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms be, and he hereby is, authorized and directed to purchase and place in the kitchen of the Senate restaurant a dish-washing machine, in accordance with the proposition made to the Committee on Rules by the Duparquet, Huot & Monense Company, to cost not more than \$600, said machine to be paid for from the miscellaneous items of the contingent fund of the Senate, when approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

WATER FILTRATION.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. McMILLAN yesterday, reported it without amendment; and it was considered by unanimous consent:

Resolved, That the Committee on the District of Columbia be, and it is hereby, directed to investigate and report to the Senate, at the earliest practicable date, the relative advantages of the so-called mechanical system and of the slow sand system of water filtration for cities; and the necessary expenses of such investigation shall be paid from the contingent fund of the Senate.

Mr. COCKRELL. Do I correctly understand that the investigation is to embrace the slow sand system?

Mr. GALLINGER. The slow sand filtration. There are two systems.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 5289) granting a pension to Ellen Gaines; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5290) granting a pension to Joab Hart (with an accompanying paper);

A bill (S. 5291) granting an increase of pension to John Doberrerr;

A bill (S. 5292) granting a pension to Margaret Robison (with an accompanying paper);

A bill (S. 5293) granting an increase of pension to John W. Armitage (with accompanying papers);

A bill (S. 5294) granting an increase of pension to William C. Phares (with accompanying papers);

A bill (S. 5295) granting a pension to America Rankin (with accompanying papers);

A bill (S. 5296) granting an increase of pension to Thomas B. Tucker;

A bill (S. 5297) granting an increase of pension to C. H. Miller (with an accompanying paper); and

A bill (S. 5298) granting an increase of pension to Newton P. Hunter (with an accompanying paper).

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 5299) to remove the charge of desertion from the military record of John Welty;

A bill (S. 5300) for relief of Jacob Barr (with accompanying papers);

A bill (S. 5301) to remove the charge of desertion from the military record of Richard H. Sterling (with an accompanying paper);

A bill (S. 5302) to correct the military record of Thomas Ross (with accompanying papers);

A bill (S. 5303) to remove the charge of desertion from the military record of Milton A. Romig (with an accompanying paper);

A bill (S. 5304) to remove the charge of desertion from the military record of Simon Rupert (with an accompanying paper); and

A bill (S. 5305) to remove the charge of desertion from the military record of Jacob Shela.

Mr. HARRIS. For my colleague [Mr. BAKER], who is unavoidably absent, I introduce a bill.

The bill (S. 5306) granting a pension to Elizabeth J. Musgrove was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims: A bill (S. 5307) for the relief of Thomas W. Evans and the heirs of William Evans and of William R. Elliston;

A bill (S. 5308) for the relief of Thomas W. Evans; and

A bill (S. 5309) for the relief of the heirs of Mrs. Jane Elizabeth Rodes.

Mr. FAIRBANKS introduced a bill (S. 5310) granting an increase of pension to Benjamin F. Johnson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5311) for the relief of Levi J. Billings; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WARREN introduced a bill (S. 5312) for relief of Anna M. Orne, administratrix of Henry A. Orne, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. LODGE introduced a bill (S. 5313) granting a pension to James Frey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5314) granting a pension to John Coleman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 5315) granting an increase of pension to John W. Fellows; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 5316) granting a pension to Ambrose Brisett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. THURSTON introduced a bill (S. 5317) authorizing certain suits in the Court of Claims, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 5318) authorizing the Dewey Hotel Company to construct and maintain an electric and steam conduit on Stanton alley; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5319) granting an increase of pension to William H. Ijams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 5320) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 5321) for the purchase of a site for a hall of records; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HALE introduced a bill (S. 5322) granting an increase of pension to Daniel W. Warren, which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5323) granting an increase of pension to William G. Towle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 5324) for the relief of Andrew A. Kelly; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUARLES introduced a bill (S. 5325) granting a pension to Michael Mullin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 5326) granting a pension to Maggie Alice Brady; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FOSTER introduced a bill (S. 5327) authorizing and empowering Richard Chilcott, a citizen of the United States, to dredge a channel at the mouth of Snake River, at Nome City, in the district of Alaska, to construct wharves for commercial purposes, and to charge tolls for the use of such improvements, under the direction and approval of the Secretary of War; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MCOMAS introduced a bill (S. 5328) for the relief of inspectors of customs who performed double duty; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5329) for the relief of William A. Gordon, administrator of the estate of William D. C. Murdock, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McBRIDE introduced a bill (S. 5330) to extend the privileges provided by an act entitled "An act to amend the statutes in rela-

tion to the immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, as amended; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. HAWLEY introduced a joint resolution (S. R. 143) authorizing a reprint of Senate Document No. 425, Fifty-sixth Congress, first session, being the report of the Daughters of the American Revolution; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO BILLS.

Mr. THURSTON (by request) submitted an amendment intended to be proposed to the bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; which was ordered to lie on the table, and be printed.

Mr. SHOUP submitted an amendment providing for an Indian agent at the Lemhi Agency, in Idaho, at a salary of \$1,200, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. CHANDLER submitted an amendment providing for the appointment of two clerks of class 2 instead of one clerk of class 2 in the office of the Director of the Mint, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DANIEL submitted an amendment intended to be proposed by him to the bill (S. 4300) to increase the efficiency of the military establishment of the United States; which was ordered to lie on the table, and be printed.

LITIGATION IN LABOR TROUBLES.

Mr. THURSTON. I move that the hearings had before the Committee on the Judiciary of the House of Representatives on the bill (H. R. 8917) to limit the meaning of the word "conspiracy" and also the use of "restraining orders and injunctions" as applied to disputes between employers and employees in the District of Columbia and Territories, or engaged in commerce between the several States, District of Columbia, and Territories, and with foreign nations, be printed as a Senate document to accompany the bill (S. 4233) to limit the meaning of the word "conspiracy" and also the use of "restraining orders and injunctions" as applied to disputes between employers and employees in the District of Columbia and Territories, or engaged in commerce between the several States, District of Columbia, and Territories, and with foreign nations. This hearing was had on an important bill, and I desire to have it printed to accompany a similar bill now on our Calendar, reported favorably by the Committee on the Judiciary. It is a small document.

The motion was agreed to.

MONTANA SENATORIAL INVESTIGATION.

The PRESIDENT pro tempore laid before the Senate the following resolution, submitted yesterday by Mr. CHANDLER:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from further consideration of the resolution authorizing the Committee on Privileges and Elections to send for persons and papers in connection with the inquiry concerning the appointments of William A. Clark and Martin Maginnis as Senators from the State of Montana.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. JONES of Arkansas. Mr. President, I have no objection to the resolution being adopted, if the Senate chooses to do so. It seems to me, however, that it is proper for the Senate to understand the effect of the resolution before voting in favor of it.

On Saturday last a resolution authorizing the Committee on Privileges and Elections to send for persons and papers in certain cases was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. On Monday the Senator from New Hampshire [Mr. CHANDLER] inquired of the acting chairman of the committee why the resolution had not been reported back; and since that time he has offered this resolution to discharge the committee from the further consideration of the resolution.

I desire to call the attention of the Senate to the statute governing matters of this kind:

Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate.

I should like to have the Senate bear in mind that in case this resolution is adopted and the committee is discharged from the further consideration of the resolution, it can not be adopted by the Senate without a violation of the law. That is the only section of the statute so far as I know.

Mr. SPOONER. Then does the Senator mean by that that the Senate is entirely subject to the control of the committee, and that if the committee see fit never to report the Senate's hands would be absolutely tied, no matter what the exigency might be?

Mr. JONES of Arkansas. I say the Senate is absolutely controlled by the law, and the law is that no resolution of this kind can be adopted without the sanction of the Committee to Audit and Control the Contingent Expenses of the Senate. If the Senate arbitrarily takes a resolution of this kind out of the hands of the Committee to Audit and Control the Contingent Expenses of the Senate, the Senate can not pass the resolution without violating the law which has been adopted by both Houses and approved by the President, and which is the law of the land. It may be an unwise law, but it is the law.

If, under these circumstances, the Senate chooses to discharge the committee, of course I have nothing more to say.

Mr. HOAR. Mr. President, I do not propose to enter upon the question of the law which the Senator from Arkansas has raised. I think the universal understanding of the Senate has been otherwise. It could not have been expected by anybody that the Senate should be put into the hands of one of its committees, which might refuse to act on a matter which was very important. Suppose there was an expense proposed from the contingent fund to try, if it could be conceived of (I put it merely as a matter of illustration), the Committee on Contingent Expenses for some malefaction, if that could be possible, could that committee arrest the whole inquiry at its will?

But I wish to call the attention of the Senate, and especially of the other side of the Chamber, to the simple proposition involved in this resolution.

Mr. JONES of Arkansas. The Senator means the resolution under consideration proposing to discharge the committee from the further consideration of the former resolution?

Mr. HOAR. I refer to the subject raised by the original resolution. It seems as if there were a likelihood that this might take the form of a political question between the two parties in this Chamber. I do not charge the Senator from Arkansas with any such purpose; I do not suggest any such purpose on his part, and certainly there never has been a political division on such a question heretofore.

Mr. Clark, the Senator who had the credentials from Montana and took his seat, was in his seat. Nobody doubts that. He addressed the Senate after the report of the Committee on Privileges and Elections came in. One of his last utterances in that address was to say that he assured the Senate of something, if I recollect right, on his responsibility as a Senator of the United States. He was then *de facto*, and because *de facto de jure*, until the Senate had acted otherwise, the Senator from Montana. His vote was as good as mine or that of the Senator from Arkansas or any other Senator in the body.

Now, there was in that case no vacancy, as I understand the Constitution and laws. The seat was full. It was rightfully full, subject to the condition subsequent of the action of the Senate holding that he was not lawfully entitled to it. As I understand it, the seat was not then vacant. No action could have been taken by a governor, a lieutenant-governor, or anybody else, to which the existence of a vacancy is a condition, until after his resignation took effect.

That was at a late hour in the afternoon. On the same day, the governor of the State being absent, the lieutenant-governor appointed his successor, declaring that the seat was vacant. As I understand it, that appointment was absolutely null and void if it was made on that day before Mr. Clark resigned. I am told that it was made before Mr. Clark resigned; that it was made and delivered to a son of Mr. Clark early in the day, to take effect after the resignation. There was no vacancy; there was no notice of a future vacancy like that in the Chilton case, and therefore, there having been no appointment after a vacancy, when the governor came back he made one. The gentleman whom the governor undertook to make Senator by that appointment is here demanding his seat, and this committee refuse, if they do refuse, to allow the Senate to see whether the facts presenting that question of law exist or not—whether the vacancy existed before the appointment by the lieutenant-governor or after it.

Now, there may be some Senators here who do not think it makes any difference, or that the doctrine of *omnia rite acta presumuntur* makes the presumption conclusive that if two things are done on the same day but one is conclusively presumed to have taken place first, which will give effect to the transaction. But other Senators do not take that view of the law, so we are entitled to know the fact. Does anybody propose, or any party propose, or any association of gentlemen propose to take Mr. William A. Clark on their shoulders as the pious *Aeneas* did *Anchises* and carry him through all these flames for better or for worse, through good report and evil report, and not allow their associates in the Senate, if they can help it, the ordinary privilege of an investigation before they apply the Constitution and the laws?

It seems to me that that is the whole question.

Mr. JONES of Arkansas. Mr. President, I do not by any means agree with the Senator from Massachusetts that his statement of the case is the whole question. The question presented for the

consideration of the Senate is whether the Committee to Audit and Control the Contingent Expenses of the Senate shall be discharged from the further consideration of the resolution. That is the sole question. This, of course, is intended in the nature of a punishment or a rebuke to that committee for having failed to do its duty, if the resolution is adopted at all.

The resolution went to the committee on Saturday last. On Monday the Senator from New Hampshire [Mr. CHANDLER] called the matter up and inquired of the acting chairman of the committee whether there had been a report, and if not, why not; and he asked him for the reasons given in the committee—given by members of the committee—for their opposition to the adoption of the resolution, if there was such opposition. He further wanted to know why I was not personally present at the meeting of the committee. I had other engagements. It was impossible for me to be there. I advised members of the committee that it was impossible for me to be there, and, as I stated on the floor of the Senate, it was impossible for me to be there on that day or the next day, when I had other engagements which made it impossible for me to be present, but I could be there on Wednesday.

The chairman of the committee, the Senator from Nevada [Mr. JONES], was absent and was telegraphed for by the acting chairman of the committee. He replied to the telegram, asking that the meeting be postponed until to-day, stating that he could be here to-day and that he wanted to be here when the matter came up. He came over from New York, and the committee had a meeting to-day. The matter was up for consideration and discussion, and on the motion of the Senator from West Virginia [Mr. SCOTT] the further consideration of the resolution was postponed until to-morrow, until such time as the reason for passing the resolution should be understood.

I myself made the point in the committee that the Senate by its own action adjourns to-morrow and will not reassemble until the 3d day of January; that on the 2d day of January, the day before the Senate reassembles, the legislature of Montana assembles, and that that legislature is charged with the responsibility of filling the vacancy to which both Mr. Clark and Mr. Maginnis claim to have been appointed.

Now, it seems to me to be a simple impossibility, if we should adopt the resolution now and should confer authority on the Committee on Privileges and Elections to send for persons and papers to-day, that they should send to Montana for as many people as they want to get; and it would be impossible for any report to be made by that committee, even if the committee should sit during the holidays, until after the meeting of the legislature of Montana, which is charged with the filling of the vacancy.

These are the facts which appeared before the committee, and the committee, not being willing to recommend the expenditure of public money without a reasonable cause, wanted to understand what the facts of the case were.

The resolution has been in the hands of the committee only three or four days at the outside. If the Senate believes that the committee has failed to do its duty and that it should be rebuked, then I think the Senate should adopt the pending resolution. If, on the other hand, the Senate believes that the committee has acted reasonably, the resolution ought not to be adopted.

Mr. CHANDLER. Mr. President, this case presents itself in very singular aspects. In the first place, there is no partisanship in connection with the subject on this side of the Chamber. The vacancy in the representation of the State of Montana has certainly existed since the 15th day of May last. Very shortly after Senator Clark retired from the Senate two appointments were made to fill the vacancy. One was made by Lieutenant-Governor Spriggs, of Mr. Clark, who had just vacated the seat. Later Governor Smith telegraphed that the first appointment had been made in collusion and fraud, that he had disregarded it, and had appointed Martin Maginnis.

Now, Mr. President, both William A. Clark and Martin Maginnis are Democrats. Neither is a Republican. Neither has ever been suspected of being a Republican. From the time when these two appointments came into the Senate the Committee on Privileges and Elections has been endeavoring to make an investigation and reach an adjudication on the question if either of these two Democrats should fill the vacancy.

Mr. President, that is the situation. If either of the claimants had been a Republican and I had pursued the case with the same zeal, the Senator from Arkansas would have reproached me with partisanship. Certainly, neither I nor any Senator upon this side of the Chamber can be accused of partisanship because we seek to do the exact duty we owe to the State of Montana, which stands here with only one Senator to represent her interests in this Chamber.

In view of the fact that there is a vacancy and that there are two Democratic claimants to the vacancy, it seems to me that the Senators upon the other side of the Chamber ought to be zealous to have the facts investigated and a determination of the Senate reached whether either of the two claimants shall fill the seat.

In the theory of the law they are outside this door at this minute, asking to come in. I know that Mr. Maginnis, a good and true Montana Democrat, seeks to come in under the appointment of the governor, and, so far as I know, Senator Clark is demanding admission under his credentials from the lieutenant-governor. Is the Senator from Arkansas authorized to disclaim any desire on the part of Senator Clark to fill the present vacancy in the Senate under the appointment of Lieutenant-Governor Spriggs?

Mr. JONES of Arkansas. I have no information whatever on the subject.

Mr. CHANDLER. Then, Mr. President, here they are—two Democratic claimants and a vacancy; and when the Committee on Privileges and Elections undertakes to do its simple duty, from the other side of the Chamber there arises opposition to the investigation.

But, Mr. President, that is not the only singular thing.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. CHANDLER. Certainly.

Mr. TILLMAN. If the Senator will permit a suggestion, if this is purely a Democratic matter—I do not think so myself, it is higher than that; but if it is purely a Democratic quarrel as between two men and we are going to let in an additional Democrat, the interest of the Senator from New Hampshire appears to be rather extraordinary.

Mr. CHANDLER. Mr. President, the insinuation that any Republican on this side of the Chamber would not wish to admit another Democrat into this body if he had a lawful right to come should not come from the Senator from South Carolina. There are not Democrats enough here, perhaps, to represent correctly the principles and measures of the Democratic party.

Mr. TILLMAN. I presume the Senator wants to guy some additional Democrats and make them feel sad, as he has done others among us since the last election.

Mr. CHANDLER. Of course, the Senator did not mean that there was any disposition on my part to treat this subject as a partisan one. I can have no partisan reason for wanting to make this inquiry. I am doing my simple duty as chairman of the committee. The Senator from South Carolina and the Senator from Arkansas know it.

Why is it that for the first time in the history of the Senate we have the Committee to Audit and Control the Contingent Expenses of the Senate embroiling the Senate on the mere question whether a high and important committee of this body shall have the power to send for persons and papers in order to make an investigation which the Senate by resolution has directed us to make; when the claimants to the seat are outside the door, each one expecting to come in? Mr. President, the like of this objection never has been known in the Senate before.

What was the membership of the Committee on Contingent Expenses up to the recent reorganization of the committee? It consisted of three members. One of them was the Senator from Nevada [Mr. JONES], a Populist, I think; another was the Senator from Arkansas [Mr. JONES], a Democrat, and the third was my colleague from New Hampshire [Mr. GALLINGER], the only Republican upon the committee.

Now the Senator from Arkansas says that the Senate of the United States can not spend one dollar of its contingent fund unless he and the Senator from Nevada consent; that we have made a law to that effect; that we legislated ourselves years ago into the hands of the Jones family and have no possible way to get out of it even for the purpose of finding out whether either of two Democrats is entitled to fill the vacancy in this body when both are knocking at the door and wanting to get in.

Mr. President, it is an absurd construction of the rule. The word "sanctioned" in the law means "considered." That is what every Senator knows it means. The Senator from Arkansas knows that is what it means. It never was intended that any such law should be made as would put the control of the contingent expenses of the Senate absolutely by statute into the hands of a majority of the Committee on Contingent Expenses so that it could not be overruled even by the Senate itself. No law could bind the Senate; the law itself does not bind the Senate. It is a very good rule and it ought to be observed; but it gives the Committee on Contingent Expenses no more authority over the appropriations of this body from the contingent fund of the Senate than the Senate chooses to give it.

Now, Mr. President, the condition of the Contingent Expenses Committee had come to be awkward, and at the last reorganization of the committees of this body two members were added, the Senator from West Virginia [Mr. SCOTT] and the Senator from New Jersey [Mr. KEAN], both Republicans, so we have three Republicans to one Democrat and one Populist on the committee. When the resolution first went before that committee, about a week ago, the chairman of the committee being in New York, the Senator from Arkansas, being in town, stayed away from the meet-

ing of the committee, and we have not been able to get a meeting of that committee yet, though the Senator from Nevada is in town, but not within the sacred precincts of the committee.

Mr. GALLINGER. Mr. President, if the Senator will permit me, I beg his pardon and the pardon of the Senate for interrupting him to say that we had a very protracted meeting of the committee this morning and reached a conclusion for the present.

Mr. CHANDLER. Mr. President, the conclusion for the present is not apparent to the Senate. I understand my colleague to mean that the committee think they want further time to consider whether this expenditure should be sanctioned.

Mr. GALLINGER. Precisely, and we are going to have some members, if we can get them, of the Committee on Privileges and Elections appear to state the reasons for this expenditure.

Mr. CHANDLER. It is quite courteous in the committee to try the Committee on Privileges and Elections. I only hope if the Committee on Contingent Expenses succeed in getting the committee to come there that the Committee on Contingent Expenses will not disappear just before the Committee on Privileges and Elections arrive.

Mr. GALLINGER. We have not done so yet.

Mr. CHANDLER. I do not think the extraordinary spectacle has ever been witnessed before in the Senate when, in an attempt to fulfill the direct orders of the Senate, a committee ask for the power to send for persons and papers, the Committee on Contingent Expenses determine to summon the Committee on Privileges and Elections before them, to make a case for spending money in order to try and execute the orders of the Senate.

Mr. SCOTT. May I ask the Senator a question?

Mr. CHANDLER. Certainly.

Mr. SCOTT. I should like to ask the Senator what is the use of having a Committee on Contingent Expenses if they have no duties to perform or no rights? The committee this morning made the request to have a member of the Committee on Privileges and Elections present to-morrow morning for the purpose of having him make a statement as to why an additional expense in this case should be added to the expenses of the United States when the time is so short between the day we adjourn to-morrow and the meeting of the Montana legislature to fill the vacancy. If this was an emergency case and the Senate desired to make the expenditure, and if one member of the committee would so explain to our committee, we would be perfectly willing to grant it. No man would transact his own business in a way different from that, I think.

Mr. CHANDLER. Mr. President, answering the Senator from West Virginia, I would not undertake to say that the Committee to Audit and Control the Contingent Expenses of the Senate has not been or ought not to be a useful committee of this body. I am glad that the committee is giving closer attention to its subjects. I am glad that the committee has been enlarged, and that hereafter the committee proposes to investigate propositions to expend money from the contingent fund. The Senator from Arkansas knows that that is my view of the case, and I congratulate the Senator from West Virginia because, joining the committee, he raises the question in this case.

Mr. SPOONER. Mr. President, will the Senator permit me to interrupt him?

Mr. CHANDLER. The point I make is that it is very inconvenient to have the Committee on Contingent Expenses, for the first time in the whole history of the Senate, give the attention it is now giving to this question of high privilege. I yield to the Senator from Wisconsin.

Mr. SPOONER. I ask the Senator, if it be true that the Senate can not make an investigation, however important the Senate regards it, without the consent of the Committee to Audit and Control the Contingent Expenses of the Senate, whether it would not be wise to enlarge still further the Committee to Audit and Control the Contingent Expenses so as to take in the Senate? Why not liberate ourselves from this apparent thralldom in that way?

Mr. BACON. You would have to change the law.

Mr. SPOONER. I do not think the law requires any change. I have never so understood it.

Mr. CHANDLER. Mr. President, I have no deep feeling on this subject and I have no criticisms to make of the Committee to Audit and Control the Contingent Expenses of the Senate. They followed the custom and practice of the Senate, which has not been a good one. What I do not like is to have this new rule adopted now and placed, not upon me and the committee of which I have the honor to be chairman, but put upon the Senate itself, which has ordered this inquiry.

If the Committee on Contingent Expenses thought there was not time to make the inquiry, then they might have reported back the resolution with the suggestion to the Senate that there is not time to make the inquiry. The course that the committee is pursuing is simply the taking of responsibility by the committee for defeating an investigation which the Senate has directed shall be made.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. CHANDLER. Certainly.

Mr. TILLMAN. Perhaps the Senator from New Hampshire can throw some light on this question if he will let the Senate know what was the cost of the examination made by his committee on this very Clark case last spring. The witnesses from Montana were in the corridors of the Capitol upstairs by the hundred or thousand; I do not know how many. It is a good many miles from here out there. It costs a good deal to bring men from Montana here to be examined, and all that kind of thing. The Montana legislature will act, as the Senator from West Virginia has just said, on the whole subject in a very short while. We are so careless about economy here that it does look to me like there might be some merit in the idea of the Committee on Contingent Expenses taking a little hand in this matter themselves and not let the Senator from New Hampshire have full leeway on the subject.

Mr. CHANDLER. Mr. President, it costs about \$250 to get a witness from Montana here, but it would require very few witnesses to demonstrate the facts.

Mr. TILLMAN. I will ask the Senator, if the accounts have been made up, how much did the other investigation cost?

Mr. CHANDLER. Thirty or forty thousand dollars.

Mr. TILLMAN. What benefit was it to the country?

Mr. HOAR. Very great.

Mr. CHANDLER. The vacant seat in the Senate from Montana answers that question.

Mr. TILLMAN. The Senator from Massachusetts [Mr. HOAR] says the benefit was very great, but it seems that notwithstanding the investigation the State of Montana has gone Democratic, that the result has not been what was anticipated, and the fruit has not been as sweet as some people imagined it would be.

Mr. SCOTT. I should like to ask the Senator from New Hampshire a question.

Mr. CHANDLER. In one moment.

The Senator from South Carolina, in making the suggestion which he has, invites a debate, which I am not inclined to enter into. I am not before the Senate here and now to argue the merits of the case which was tried before the Committee on Privileges and Elections at such length and such expense.

The Senator from South Carolina seems to think we should investigate bribery in connection with a Senatorial election if it is near by and does not cost much, but that if the crime of bribery in the election of a Senator is perpetrated 2,000 miles away and it costs a good deal to investigate it, we should not touch it. That is the force and sense of the remark of the Senator from South Carolina.

Mr. TILLMAN. If the Senator will pardon me, that is not the burden of my argument. It is simply the uselessness of this apparent persecution of a man. I have no sympathy with the methods of Mr. Clark, if the charges which were published in the newspapers against him last year were proven.

Mr. CHANDLER. The Senator asks what good the investigation did. He demands to know that of me, and is introducing an old subject into the debate; but it has nothing more to do with it than the question how we shall make the next apportionment of Representatives in Congress.

Mr. TILLMAN. If this be a mere matter of law, a constitutional question, according to the statement of the Senator, why can not the Senate settle it without any further investigation?

Mr. CHANDLER. The Senate instructed the Committee on Privileges and Elections to make this inquiry, and the question now is whether the Senate will follow that up by giving the committee the authority which they ask for.

I am not going into a discussion of the Clark case. I should be perfectly willing to do so, but Senators would justly rebuke me if I did. However, the Senator from Montana [Mr. CARTER], who is in his seat, will be perfectly willing to discuss, if the Senator from South Carolina wants him to do so, the recent Montana election and the way in which the Democratic victory, of which the Senator from South Carolina has taken occasion to boast in this Chamber, was obtained, but I do not intend to debate that question.

Mr. SCOTT and Mr. TILLMAN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from West Virginia?

Mr. CHANDLER. I do.

Mr. SCOTT. I am not a constitutional lawyer, and I presume I was selected to go upon the Committee to Audit and Control the Contingent Expenses of the Senate because I was a business man and would examine questions coming before the committee from a business standpoint. The first time I had ever met with the committee was on this case. I thought I had a right to know the reason why the Senate was to spend this money. If I am mistaken, of course I want to apologize; but I do think if that com-

mittee has been created for any purpose at all it was to supervise and to inquire into the expenditure of money. If it has not been, I have been mistaken in what I conceive to be my duty.

If the Senator from New Hampshire and the members of the Committee on Privileges and Elections show that they want this investigation—that they can take the subject up and conclude it before there is an election in Montana, and that it is proper and right to expend two or three or four thousand dollars in order to get at the truth—whenever I am satisfied that that is the thing to do I certainly shall vote for that expenditure; otherwise I shall not do it.

Mr. CHANDLER. The Senator from West Virginia is quite right about the duties of his committee. I concur in his statement upon that subject, and I venture to say that the committee has been very much strengthened by the addition of the Senator from West Virginia as a member of it.

Mr. SCOTT. I thank the Senator.

Mr. CHANDLER. I myself welcome, Mr. President, the advent in the committee of the new method of performing its functions.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. CHANDLER. I yield to the Senator from South Carolina next.

Mr. TILLMAN. I merely wish to suggest to the Senator that I would not have brought up the subject or had anything to say about the recent Montana election had it not been for the remark of the Senator from Massachusetts [Mr. HOAR] that the investigation by the Committee on Privileges and Elections had accomplished a great deal. So far as I am concerned, I have never read any of the testimony taken before the committee. I only know that the committee was engaged here by the week and almost by the month, every day, with an army of witnesses, and that the newspapers were full of nauseating details of charges of bribery, and all that kind of thing. I never read the testimony, and never expect to read it.

The only practical issue here in connection with the recent Montana election is whether there was sufficient fraud in that election to invalidate the action of its legislature whenever it does act. I think it is premature for us to enter upon an investigation of the recent election until the legislature sends a Senator here—I mean as the result of that election—to claim a seat. When that occurs, then it will be time to begin a new investigation upon the last election instead of reopening the investigation of a previous election.

Mr. CHANDLER. Then why did the Senator introduce any reference to the new and recent election in Montana?

Mr. TILLMAN. I should not have introduced it except for the reason I have stated, that the Senator from Massachusetts [Mr. HOAR] referred to it. I merely threw out the suggestion that, so far from defeating the man who had been charged with bribery, the State had gone Democratic.

Mr. HOAR. Will the Senator yield to me?

Mr. TILLMAN. I would yield with pleasure if I had the floor, but the Senator from New Hampshire [Mr. CHANDLER] is in possession of the floor.

Mr. CHANDLER. I yield to the Senator from Massachusetts.

Mr. HOAR. The Senator from South Carolina [Mr. TILLMAN], if I understood him, inquired what good the investigation last winter of the claim of the then Senator from Montana to a seat here did; to which I replied from my seat, "Very great." What happened, as I understand it, is this: There was a charge that a man worth as many million dollars as counted in thousands would make some of us think ourselves pretty rich men had purchased, or that his friends had purchased, the entire majority of the legislature of a young State; and without being agreed as to all the details, the committee unanimously held that that fact was proved, not by the committee bringing home guilt to the Senator claiming the seat, but bringing it home to somebody; and for that reason the Senator was not entitled to a seat in the Senate.

I am very sure of the assent of my friend from South Carolina, who, however I may differ with him in regard to policies, I know would not spend or sanction the expenditure of a sixpence for corruption in any public or private matter, and would rather cut off his right hand than do it—I am very sure of his assent to my proposition, that to prevent the perpetration of such a crime is a great public good.

Mr. TILLMAN and Mr. STEWART addressed the Chair.

The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. TILLMAN. Permit me to answer the Senator from Massachusetts. I thank the Senator for his opinion in regard to my own purity of purpose here, and I wish to say that, so far as I can understand the report of that committee, after the investigation I was prepared, if necessary, to vote to unseat Mr. Clark, but when we come down to the practical results of the investigation we find

that the exposure—if you did expose to the satisfaction of the people of Montana the fact that corrupt practices had been used there and that that legislature had been debauched—resulted in nothing more than a Democratic victory. Now, if that be true—what influences were brought to bear I do not know—I do not think that Montana politics have been purified by any investigation we have had, and no practical good has resulted. The recent election could be considered as a repudiation by the people of Montana of the charges made against Senator Clark.

Mr. HOAR. I should like to ask the Senator if he does not agree that the Democratic victory was a great public good? [Laughter.]

Mr. TILLMAN. The Democratic victory in Montana?

Mr. HOAR. Yes.

Mr. TILLMAN. I would not give a snap of my fingers whether or not Montana went Democratic last time, after we lost the Presidential election. [Laughter.]

Mr. GALLINGER addressed the Chair.

Mr. LODGE. Mr. President, the Senate has a special order for 8 o'clock. I am very reluctant to interrupt this debate, but I feel that I must make a motion that the Senate go into executive session.

Mr. GALLINGER. The Senator has not made the motion. I want to say to him that, as I am a member of the Committee to Audit and Control the Contingent Expenses of the Senate, I think I ought to be permitted the right to make a statement before he makes the motion, and I think he will agree with me on that point.

Mr. LODGE. I will certainly not press the motion until the Senator from New Hampshire shall have an opportunity to make his statement, but then I give notice that I must make the motion in justice to other Senators.

BALTIMORE AND POTOMAC RAILROAD COMPANY.

The PRESIDENT pro tempore. With the permission of the Senator from New Hampshire [Mr. GALLINGER], the Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes, which will be read.

The Secretary proceeded to read the amendments of the House of Representatives.

Mr. McMILLAN. I do not think it necessary to read all the amendments of the House of Representatives. I move that the Senate nonconcur in the amendments and ask for a committee of conference.

Mr. BERRY. I did not hear the motion.

Mr. PETTIGREW. I do not believe this bill ought to pass at all, but I want to examine and discuss the amendments. I ask either that the bill go over or that it be referred to the Committee on the District of Columbia.

Mr. McMILLAN. I have moved that the Senate disagree to the amendments of the House of Representatives and ask for a committee of conference.

Mr. PETTIGREW. That is what I object to—disagreeing to the amendments of the House of Representatives and asking for a committee of conference. I want to examine the amendments. Perhaps we ought to agree to them, but I do not believe the bill ever ought to pass. It appropriates between 11 and 12 acres of a park for railroad purposes. I do not believe the people living in that locality favor any such proposition or that such an appropriation ought to be made. I want an opportunity to examine the amendments and discuss them before they go to a committee of conference.

I move to refer the bill and amendments to the Committee on the District of Columbia.

Mr. McMILLAN. I move that the Senate nonconcur in the amendments of the House of Representatives and ask for a conference, and that the Chair appoint the conferees on the part of the Senate.

Mr. LODGE. Mr. President, I yielded to the Senator from New Hampshire [Mr. GALLINGER], who desired, on the part of the Committee to Audit and Control the Contingent Expenses of the Senate, to make a personal explanation. I can not possibly withhold my motion for a debate on the Pennsylvania Railroad bill; I can not do so in justice to other Senators.

The PRESIDENT pro tempore. With the leave of the Senate, the Chair will withdraw the bill.

Mr. McMILLAN. I have no objection to having it referred to the Committee on the District of Columbia and printed.

Mr. ALDRICH. Let the bill and amendments be printed and referred to the Committee on the District of Columbia.

The PRESIDENT pro tempore. The bill and amendments will be referred to the Committee on the District of Columbia and printed, in the absence of objection.

BALTIMORE AND OHIO RAILROAD COMPANY.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 2329) to provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes; which were referred to the Committee on the District of Columbia, and ordered to be printed.

MONTANA SENATORIAL INVESTIGATION.

The Senate resumed the consideration of the resolution submitted yesterday by Mr. CHANDLER, proposing to discharge the Committee to Audit and Control the Contingent Expenses of the Senate from the further consideration of the resolution authorizing the Committee on Privileges and Elections to send for persons and papers in connection with the inquiry concerning the appointments of William A. Clark and Martin Maginnis as Senator from the State of Montana.

Mr. GALLINGER. Mr. President, I do not rise to make a personal explanation, as the Senator from Massachusetts [Mr. LODGE] inadvertently suggested, but for the purpose of calling attention to the status of the question that has been so earnestly and warmly discussed.

On Saturday last a resolution, which proposed to take from the contingent fund an indefinite sum of money, was referred to that committee. In the absence of the Senator from Nevada [Mr. JONES], I was acting chairman of the committee by a vote of the committee. I called a meeting of the committee for Monday. The Senator from Arkansas [Mr. JONES] advised us in advance of his inability to be present, and requested that no action should be taken, saying to the committee that the earliest moment at which he could attend would be on Wednesday. I then called a meeting of the committee for Wednesday morning. In the meantime I had telegraphed to the chairman of the committee, who was in New York, unavoidably absent attending a sick daughter, that his presence was desired. He responded by wire that he could not be here until this morning. I consulted the other members of the committee, and we unanimously agreed that it was the proper and courteous thing to postpone the meeting until this morning; which we did. This morning we held a meeting, and I will state in a moment the conclusion that was reached.

I have been a member of the Committee to Audit and Control the Contingent Expenses of the Senate for a good while, and I have performed a good deal of clerical work as a member of that committee.

Mr. JONES of Arkansas. Will the Senator allow me?

Mr. GALLINGER. Certainly.

Mr. JONES of Arkansas. In view of the statement made by the Senator's colleague, I ask if the Senator will state how many members of the committee were present at the hearing to-day?

Mr. GALLINGER. I will say they were all present.

Mr. President, as I was saying, I have performed a great deal of clerical work, both here and at my home, as a member of that committee, but I never have supposed the committee was simply a committee of clerks. I supposed we had some power, some jurisdiction over something beyond the mere matter of writing our names on the backs of bills which were perfunctorily approved, or of going and asking the financial clerk of the Senate whether or not there was any money in the contingent fund. I have taken it for granted that we had other powers beyond that. I came to that conclusion and investigation from reading Rule XXV.

Mr. SPOONER. On what page?

Mr. GALLINGER. On page 21 of the Standing Rules of the Senate. That rule provides for the appointment of various committees—a Committee on Appropriations, a Committee on Finance, a Committee on Pensions, a Committee on the Census, a Committee on Coast Defenses, a Committee on the District of Columbia, etc.

It is further provided that to these committees shall be referred matters relating to the subjects that they are to consider; but no one would for a moment contend that those committees must approve and report back favorably all matters referred to them.

Then, a Committee to Audit and Control the Contingent Expenses of the Senate is provided for, as follows:

A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of three Senators—

as the rule originally provided, but the number has been enlarged to five—

to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

I have never supposed that that committee was different from the other committees of this body. The Committee on Appropriations receives bills that are sent to it and approves or disapproves them; the Committee on the District of Columbia does the same; the Committee on Pensions does the same; and I supposed the Committee to Audit and Control the Contingent Expenses of

the Senate had a right to inquire into the advisability of appropriating money from the contingent fund for certain matters, whether for the appointment of special committees or otherwise.

I want to say here that matters have come to that committee which have not been approved. Resolutions have come there providing for the appropriation of money out of the contingent fund that have been asked by standing committees of this Senate, and the Committee on Contingent Expenses has not approved the propositions and the Senate has not voted the money, so that this is not entirely a new proposition, so far as the action of the committee is concerned. In addition to that provision of the rule, Mr. President, we have a statute governing the action of this committee, and it is the only committee of this body that is governed by statute. That statute reads:

Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate.

The statute goes on further to say that no money shall be paid—

from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives.

Mr. President, I am not going to insist that I myself know what the word "sanction" means, but I go to the Standard Dictionary for my information, and I find that it says:

Sanction: 1. To approve authoritatively; render valid by assent or concurrence; confirm; ratify; to give consent or support to; regard with favor or approval; countenance, etc.

Now, Mr. President, if the word "sanction" means anything different from that, I should be glad if some Senator would tell me what it does mean, and I want to appeal to the distinguished Senator from Massachusetts [Mr. HOAR], who is an authority on the use of language, as to what construction he would put on the word "sanction" in the law governing the action of the Committee on Contingent Expenses, if he chooses to make the statement.

Mr. HOAR. I should be glad to do so if my colleague would permit, but he has a motion pending.

Mr. GALLINGER. I have the floor, and I do not think I can be taken from it.

Mr. LODGE. I yielded the floor to the Senator from New Hampshire.

Mr. GALLINGER. Exactly; and I have it.

Mr. HOAR. I would say to the Senator that I would like three or four minutes to make the statement, but I do not think I ought to do so at this precise time, in view of the motion which my colleague desires to press. I will do so, however, very soon.

Mr. GALLINGER. Very well; I will waive that, of course. The Senator is privileged to make it or not.

That is my construction of the meaning of the word "sanction," and I am confirmed in that by very good authority, which I have quoted.

Mr. President, the Committee to Audit and Control the Contingent Expenses of the Senate met this morning, with all the members of the committee present, presided over by the chairman of the committee. Personally I was very happy to have him there, because I have not felt like taking any special responsibility in this matter, and indeed it is very distasteful to me to say a single word on the subject. We went over this subject with considerable care. It is not a partisan question so far as the committee is concerned; certainly not so far as I am concerned. I am not here to say a word in criticism of the Committee on Privileges and Elections for the conclusion they reached in the so-called Clark case; neither am I here to say anything offensive to Mr. Clark, who was a member of this body, and with whom I served on two committees; but I do want to say that the Committee to Audit and Control the Contingent Expenses of the Senate has approached this matter in a nonpartisan spirit for the purpose of simply doing their duty.

If all the Committee to Audit and Control the Contingent Expenses of the Senate has to do as a committee is to inquire of Mr. Nixon, the financial clerk, whether there is money in the contingent fund, I want to retire from that committee, because I can use my time to much better advantage than that. A clerk or a messenger can do that quite as well as five Senators.

The committee, after very careful consideration of the question, came to the conclusion that it was important to ascertain, first, the necessity for this expenditure. They concluded that it could be ascertained by asking some member of the Committee on Privileges and Elections to make a statement to the committee, and in the next place to ascertain what construction of this rule was placed upon it by the other body, the other body having a committee called the Committee on Accounts, which has precisely the same jurisdiction over the contingent fund of the House as the Committee to Audit and Control the Contingent Expenses of the Senate has over the contingent fund of the Senate. That is all there is to it.

The committee adjourned to meet to-morrow. What action will be taken to-morrow I can not say. I shall not be able to be present at the meeting, as I propose to leave the city early in the morning; but I do wish to say that the committee, so far as I am

concerned—and I think I speak for the committee as a committee—have no disposition whatever to dodge or to evade this question; but they have had a disposition to perform their duty and exercise their prerogative as a standing committee of the Senate, and not to have a matter railroaded over their heads simply because somebody wants to have passed a resolution that is properly in the hands of the committee and which is receiving consideration. If the Senate chooses to take it out of the hands of the committee that is the business of the Senate, and the committee, I am sure, will bow very gracefully to any decision the Senate may reach in regard to it.

Mr. LODGE. I now move that the Senate proceed to the consideration of executive business.

Mr. CARTER. I ask the Senator from Massachusetts to withhold that motion for five seconds, to the end that I may address myself to this question.

Mr. TELLER. I rise to a question of order. This whole debate is in violation of an agreement of the Senate. It is not the business that we anticipated was to take place in the morning hour.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair). Unless the Senator from Massachusetts yields, the Chair must put his motion that the Senate proceed to the consideration of executive business. Does the Senator from Massachusetts yield?

Mr. CARTER. Mr. President—

The PRESIDING OFFICER. The Senator from Massachusetts has the floor. Does he yield? If not, the Chair will be obliged to put the question on his motion.

Mr. CARTER. I ask the Senator from Massachusetts to yield to me.

Mr. LODGE. If I may be allowed to say a word, as I have the floor, I believe—

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. LODGE. Everybody else is talking, and I am a little doubtful whether I have the floor or not.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. LODGE. Well, Mr. President, it is very apparent that this debate will go on from one point to another. I do not want to interfere with any Senator who desires to speak upon the pending question; but I am charged with carrying out the agreement of the Senate, and I do not feel that I ought to withhold the motion for an executive session.

Mr. CARTER. May I ask the Senator what the agreement is to which he refers?

Mr. COCKRELL. Regular order, Mr. President.

Mr. LODGE. There was a special order to vote at 3 o'clock.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. LODGE] moves that the Senate proceed to the consideration of executive business.

Mr. CARTER. I have requested the Senator from Massachusetts to yield to me for a question.

The PRESIDING OFFICER. And he has refused, as the Chair understands.

Mr. LODGE. I will yield to the Senator, of course, for a question.

Mr. CARTER. I desire to ask the Senator from Massachusetts in what particular the present proceeding is violating any unanimous-consent agreement or order of business?

Mr. LODGE. Because it was understood that we should go into executive session immediately after the conclusion of the routine morning business. This debate has carried us on until now it is twenty minutes before 2 o'clock.

Mr. TELLER. It has gone on for more than an hour.

Mr. CHANDLER. This is part of the morning business.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. LODGE. I will yield to the Senator from New Hampshire to make a request for unanimous consent.

Mr. CHANDLER. I request that the further consideration of this resolution may be postponed until after the executive session this afternoon.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the consideration of the present question be postponed until after the conclusion of the executive session this afternoon. Is there objection?

Mr. JONES of Arkansas. I object.

The PRESIDING OFFICER. Objection is made.

EXECUTIVE SESSION.

Mr. LODGE. I renew my motion that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and fifty minutes spent in executive session the doors were reopened.

THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. I give notice that to-morrow morning, after the routine morning business, I will ask the Senate to take up for consideration the House amendment to Senate bill No. 4300, to increase the efficiency of the military establishment of the United States.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 21, 1900, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 20, 1900.

PROMOTIONS IN THE MARINE CORPS.

First Lieut. Harry Lee, to be a captain in the United States Marine Corps from the 23d day of July, 1900.

First Lieut. Frederick H. Delano, to be a captain in the United States Marine Corps from the 23d day of July, 1900.

REGISTER OF LAND OFFICE.

Albert Wheelon, of Pierre, S. Dak., to be register of the land office at Pierre, S. Dak.

RECEIVER OF PUBLIC MONEYS.

Henry E. Cutting, of Pierre, S. Dak., to be receiver of public moneys at Pierre, S. Dak.

COLLECTOR OF CUSTOMS.

William Frye Tibbetts, of Alabama, to be collector of customs for the district of Mobile, in the State of Alabama.

POSTMASTERS.

John W. Hedley, to be postmaster at Quanah, Hardeman County, Tex.

C. S. Bodenhamer, to be postmaster at Wharton, Wharton County, Tex.

Jacob M. Harrell, to be postmaster at Manor, Travis County, Tex.

William L. Rogers, to be postmaster at Conroe, Montgomery County, Tex.

John D. Massey, to be postmaster at Smithfield, Johnston County, N. C.

John M. Hickey, to be postmaster at Henderson, Rusk County, Tex.

Charles Real, to be postmaster at Kerrville, Kerr County, Tex.

Joshua Cooke, jr., to be postmaster at Longview, Gregg County, Tex.

Charles H. Hurt, to be postmaster at Barry, Pike County, Ill.

Horace Haldeman, to be postmaster at Bement, Piatt County, Ill.

Swan J. Chilberg, to be postmaster at Cambridge, Henry County, Ill.

Henry C. Bogue, to be postmaster at Vermont, Fulton County, Ill.

Nehemiah J. Knipple, to be postmaster at Buda, Bureau County, Ill.

Thomas J. Wimmer, to be postmaster at Cerro Gordo, Piatt County, Ill.

John Buchanan, to be postmaster at Eagle Grove, Wright County, Iowa.

Fremont Young, to be postmaster at Faulkton, Faulk County, S. Dak.

George W. Crane, to be postmaster at Fort Benton, Choteau County, Mont.

James Schroeder, to be postmaster at Guttenberg, Clayton County, Iowa.

Reuben F. Price, to be postmaster at Milford, Dickinson County, Iowa.

Harper W. Wilson, to be postmaster at Audubon, Audubon County, Iowa.

John G. Beal, to be postmaster at Manning, Carroll County, Iowa.

Joseph A. Farrell, to be postmaster at Mason City, Cerro Gordo County, Iowa.

Ross A. Nicholson, to be postmaster at New Sharon, Mahaska County, Iowa.

Lewis A. Skiff, to be postmaster at Middlebury, Addison County, Vt.

Robert J. Mitchell, to be postmaster at Quincy, Gadsden County, Fla.

George J. Arnow, to be postmaster at Gainesville, Alachua County, Fla.

Luther Severance, to be postmaster at Hilo, island of Hawaii, Hawaii Territory.

Joseph M. Oat, to be postmaster at Honolulu, island of Oahu, Hawaii Territory.

Lyman P. Bailey, to be postmaster at Putney, Windham County, Vt.

John Redd, to be postmaster at Bolivar, Hardeman County, Tenn.

Susie E. Taylor, to be postmaster at Lake Providence, East Carroll Parish, La.

Houston T. Estes, to be postmaster at Muskogee (late Muscogee), Creek Nation, Ind. T.

Frederick B. Powell, to be postmaster at Amityville, Suffolk County, N. Y.

George W. Belton, to be postmaster at Whitestone, Queens County, N. Y.

Richard H. Smith, to be postmaster at Mandan, Morton County, N. Dak.

William E. Templeton, to be postmaster at Excelsior Springs, Clay County, Mo.

Frank D. W. Arnold, to be postmaster at Lamar, Barton County, Mo.

Edward R. Williams, to be postmaster at Richmond, Ray County, Mo.

Maude McGill, to be postmaster at Oswego, Labette County, Kans.

Elliott Wood, to be postmaster at Winthrop, Kennebec County, Me.

Edgar W. Prentiss, to be postmaster at Bethany, Harrison County, Mo.

Alfred R. Booth, to be postmaster at Paso Robles, San Luis Obispo County, Cal.

George F. McGinnis, to be postmaster at Indianapolis, Marion County, Ind.

John Walter Lowry, to be postmaster at Knightstown, Henry County, Ind.

Karl Spinner, to be postmaster at Green River, Sweetwater County, Wyo.

Gustave Jensen, to be postmaster at Saratoga, Carbon County, Wyo.

Elias M. Williams, to be postmaster at Clifton, Graham County, Ariz.

George C. Watson, to be postmaster at New Concord, Muskingum County, Ohio.

Velosco J. Knapp, to be postmaster at Anacortes, Skagit County, Wash.

Howard S. Datesman, to be postmaster at Douglas, Converse County, Wyo.

William H. Austin, to be postmaster at Franklin, Franklin County, Nebr.

Charles J. Sweet, to be postmaster at Black River, Jefferson County, N. Y.

John A. Simon, to be postmaster at Queens, Queens County, N. Y.

Frank E. Bardwell, to be postmaster at Excelsior, Hennepin County, Minn.

William B. Anderson, to be postmaster at Hopkins, Hennepin County, Minn.

Melvin W. Caster, to be postmaster at Clayton, St. Louis County, Mo.

Thomas B. Lawler, to be postmaster at Ensley, Jefferson County, Ala.

Charles A. Bills, to be postmaster at Dunsmuir, Siskiyou County, Cal.

Montrose E. Hill, to be postmaster at Old Orchard, York County, Me.

Robert P. Brown, to be postmaster at West New Brighton, Richmond County, N. Y.

Walter J. Raley, to be postmaster at Kent, Portage County, Ohio.

William B. Wallace, to be postmaster at Oxford, Butler County, Ohio.

Charles Whitehead, to be postmaster at South River, Middlesex County, N. J.

Arthur C. Agan, to be postmaster at Fayetteville, Onondaga County, N. Y.

George A. McKinnon, to be postmaster at Sidney, Delaware County, N. Y.

Allison S. Pitts, to be postmaster at Hattiesburg, Perry County, Miss.

Edward M. Scott, to be postmaster at Rosedale, Bolivar County, Miss.

James R. Dyer, to be postmaster at Ashgrove, Greene County, Mo.

Herman A. Wyckoff, to be postmaster at Pontiac, Oakland County, Mich.

David J. Price, to be postmaster at Lake Crystal, Blue Earth County, Minn.

Nels C. Nelson, to be postmaster at Two Harbors, Lake County, Minn.

Albert W. Durkee, to be postmaster at Greeley, Weld County, Colo.

Jesse T. Sharpe, to be postmaster at Seaford, Sussex County, Del.

George Cushing, to be postmaster at Hingham, Plymouth County, Mass.

George E. Hartson, to be postmaster at Mount Vernon, Skagit County, Wash.

Dora Crook, to be postmaster at Jacksonville, Calhoun County, Ala.

John J. C. Barber, to be postmaster at Juneau, Territory of Alaska.

Rufus Waggener, to be postmaster at Hillsboro, Washington County, Oreg.

Nathaniel H. Brown, to be postmaster at East Greenwich, Kent County, R. I.

Edward W. Jones, to be postmaster at River Point, Kent County, R. I.

David Redfield, to be postmaster at Ardmore, Chickasaw Nation, Ind. T.

Guido C. Hinchman, to be postmaster at Dover, Morris County, N. J.

Homer C. Atwell, to be postmaster at Forest Grove, Washington County, Oreg.

Mary H. Ricketts, to be postmaster at Waverly, Humphreys County, Tenn.

Eber S. Andrews, to be postmaster at Williamston, Ingham County, Mich.

George L. Merguire, to be postmaster at Palo Alto, Santa Clara County, Cal.

Burgess W. Witt, to be postmaster at Mossy Creek, Jefferson County, Tenn.

W. W. Hamilton, to be postmaster at Bramwell, Mercer County, W. Va.

Jonn M. Righter, to be postmaster at Cambria, Weston County, Wyo.

Abel W. Severance, to be postmaster at Tillamook, Tillamook County, Oreg.

Ebenezer M. Wells, to be postmaster at Cheraw, Chesterfield County, S. C.

Joseph B. Schade, to be postmaster at Lawrenceburg, Lawrence County, Tenn.

Charles C. Marsh, to be postmaster at Shawnee, Perry County, Ohio.

Joseph A. Randolph, to be postmaster at Waukomis, Garfield County, Territory of Oklahoma.

Dick J. Wilcox, to be postmaster at Lakeview, Lake County, Oreg.

Saadi M. Johnstone, to be postmaster at Woodside, Queens County, N. Y.

Frank A. Geesey, to be postmaster at Archbold, Fulton County, Ohio.

Elias B. Aldrich, to be postmaster at North Amherst, Lorain County, Ohio.

Charles R. Suydam, to be postmaster at Belmont, Middlesex County, Mass.

William T. Britton, to be postmaster at Bloomington, Franklin County, Nebr.

Jay Jackson, to be postmaster at Pine Plains, Dutchess County, N. Y.

Charles Hulbert Bishop, to be postmaster at Lihue, Kauai Island, Hawaii Territory.

John B. Jones, to be postmaster at Lehigh, Choctaw Nation, Ind. T.

Henry Metz, to be postmaster at Tonganoxie, Leavenworth County, Kans.

Mary E. Hughey, to be postmaster at Warren, Bradley County, Ark.

Alexander P. Merrill, to be postmaster at Campbell, Santa Clara County, Cal.

Arthur Waal, to be postmaster at Lahaina, Maui Island, Hawaii Territory.

James M. Ragan, to be postmaster at Oxford, Calhoun County, Ala.

Charles M. Lehman, to be postmaster at Black Rock, Lawrence County, Ark.

Thomas B. Murphy, to be postmaster at Osceola, Mississippi County, Ark.

George Summers, to be postmaster at Prineville, Cook County, Oreg.

Frank G. Jewett, to be postmaster at Sumpter, Baker County, Oreg.

Alvin F. Miller, to be postmaster at Valley Falls, Providence County, R. I.

Mary A. Milligan, to be postmaster at Hope, Steele County, N. Dak.

Alfred Noecker, to be postmaster at Greenwich, Huron County, Ohio.

William T. Griffith, to be postmaster at Mingo Junction, Jefferson County, Ohio.

Thomas Graham, to be postmaster at Point Pleasant, Ocean County, N. J.

Fred F. Hawley, to be postmaster at Caldwell, Warren County, N. Y.

Richard G. Bennett, to be postmaster at Tuckahoe, Westchester County, N. Y.

Jacob P. Hazen, to be postmaster at Shirley, Middlesex County, Mass.

John H. Bryant, to be postmaster at Burlington Junction, Nodaway County, Mo.

Reuben Abel, to be postmaster at Bernardsville, Somerset County, N. J.

Orlando Rogers, to be postmaster at Independence, Teller County, Colo.

Samuel W. Maytubby, to be postmaster at Caddo, Choctaw Nation, Ind. T.

Rezin B. Boulden, to be postmaster at Millersburg, Bourbon County, Ky.

Jane E. Loveland, to be postmaster at Menlo Park, San Mateo County, Cal.

George G. Taylor, to be postmaster at Mountain View, Santa Clara County, Cal.

Ralph N. Hill, to be postmaster at Oxnard, Ventura County, Cal.

Elmer L. Stevens, to be postmaster at Seymour, in the county of Baylor and State of Texas.

Ramon Alfonso Rivera, to be postmaster at Arecibo, P. R.

Lawrence R. Watts, to be postmaster at London, in the county of Madison and State of Ohio.

Grenville Reed, to be postmaster at Astoria, in the county of Clatsop and State of Oregon.

Joseph C. Manning, to be postmaster at Alexander City, in the county of Tallapoosa and State of Alabama.

T. F. Berner, to be postmaster at Henrietta, in the county of Clay and State of Texas.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 20, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

CORRECTIONS.

Mr. GAINES. Mr. Speaker, I was present on yesterday, but was paired with the gentleman from Texas, Mr. HAWLEY, but I am noted as not present.

The SPEAKER. Did the gentleman answer "present?"

Mr. GAINES. No, sir; but I was here, though.

The SPEAKER. The gentleman will get the benefit of his statement, and the RECORD will show it. It is not a matter for correction of the Journal.

Mr. FITZGERALD of New York. Mr. Speaker, on yesterday I was present and voted present. I was paired with the gentleman from New York, Mr. O'GRADY, and I would like that fact noted in the RECORD.

The SPEAKER. The Chair did not understand the gentleman; there was so much confusion in the House.

Mr. FITZGERALD of New York. On yesterday I voted present on the passage of the bill, being paired with the gentleman from New York, Mr. O'GRADY, and I would like the pair noted in the RECORD.

The SPEAKER. The gentleman was marked "present," as the Chair understands.

Mr. FITZGERALD of New York. I was present, but I wish the pair noted.

The SPEAKER. Was the gentleman's pair noted the day before?

Mr. FITZGERALD of New York. No; it was not.

The SPEAKER. The RECORD will be made to show the situation.

Without objection, the Journal will stand approved.

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 12904) making appropriations for the Indian service for the next fiscal year.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the